IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 07-02-2006

CORAM

THE HONOURABLE MR.JUSTICE M.KARPAGAVINAYAGAM

THE HONOURABLE MR.JUSTICE T.V.MASILAMANI

AND

THE HONOURABLE MR.JUSTICE S.R.SINGHARAVELU

W.P.Nos.20765 TO 20767 OF 1998

W.P.No.20765 OF 1998 :

P.Maragathamani .... Petitioner

-vs-

1.General Manager (In-charge),
Bharat Heavy Electricals Limited,
Trichy Complex,
Tiruchirapalli-14.

2.The Manager (S.C.) Valves,
Bharat Heavy Electricals Ltd.,
Tiruchirapalli-14.

3.The Revenue Divisional Officer,
Tiruchirapalli.

4.The Dy.General Manager (S.C.) Valves,
Bharat Heavy Electricals Ltd.,
Tiruchirapalli-14. .... Respondents

WEB COPY

W.P.No.20766 OF 1998 :

V.Ramasamy .... Petitioner

-vs-

1.General Manager (In-charge),
Bharat Heavy Electricals Limited,
Trichy Complex,
Tiruchirapalli-14.

https://hcservices.ecourts.gov.in/hcservices/

2.The Senior Manager,
Valves Production,
Bharat Heavy Electricals Ltd.,
Tiruchirapalli-14.

3.The Revenue Divisional Officer,
Tiruchirapalli.

4.The Senior Dy.General Manager (Valves Production),
Bharat Heavy Electricals Ltd.,
Tiruchirapalli-14. .... Respondents

W.P.No.20767 OF 1998 :

K.Thangavelu .... Petitioner

-vs-

1.General Manager (In-charge),
Bharat Heavy Electricals Limited,
Trichy Complex,
Tiruchirapalli-14.

2.The Senior Manager (M&S),
Bharat Heavy Electricals Ltd.,
Tiruchirapalli-14.

3.The Revenue Divisional Officer,
Tiruchirapalli.

4.The Dy.General Manager (M&S),
Bharat Heavy Electricals Ltd.,
Tiruchirapalli-14. .... Respondents

Petitions under Article 226 of the Constitution of India, praying for issuance of a writ of certiorari calling for the records relating to the orders made in BP:P2:2167417, BP:P2:2167034, PB:P2:2166852 respectively on 26.09.1998 on the file of the 2nd respondent and confirmed by the order made in BP:P2 2167417, BP:P2:2167034 BP.P2:2166852 on 18.11.1998 and 19.11.98 respectively on the file of the fourth respondent and quash the same.

For petitioners in W.P.Nos.20765 & 20767/2005 :
Mr.S.Doraisamy,
assisted by Mr.V.Elangovan.

For petitioner in W.P.No.20766/2005 : Mr.M.Suresh Kumar

For respondents 1,2 & 4 in all W.Ps.: Mr.B.T.Seshadri

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

For respondent 3 in all W.Ps.: Mr.D.Krishna Kumar,
Spl.Govt.Pleader,
assisted by
Mr.E.Sampath Kumar.

O R D E R

M.KARPAGAVINAYAGAM,J.

Whether the suit in Civil Court for declaration that a person belongs to a particular community and for mandatory injunction, directing the authorities to issue community certificate in pursuance of the said declaration and it is binding on the said authorities, is maintainable or not ?

The above is the question, posed before this Full Bench.

2. The facts leading to the reference of the point in issue to this Full Bench for determination, in short, are as follows :

"(i) Writ petitioners, claiming themselves to be belonging to Kattunaicken community, which is a Scheduled Tribe, on the basis of the community certificates obtained from the Tahsildar, applied for jobs in Bharat Heavy Electricals Limited, Trichy, and got the same. A few years later, the management, after receipt of some information, decided to verify the genuineness of the certificates and sent the said community certificates for verification to the District Collector.

(ii) The District Collector verified the said community certificates through a discreet enquiry and sent a report to the management that the petitioners do not belong to Kattunaicken community, a Scheduled Tribe. Consequently, the management initiated disciplinary proceedings as against the petitioners. Without facing the disciplinary proceedings, the writ petitioners challenged the said proceedings in writ petitions before this Court. A Division Bench of this Court, on 18.08.1995, dismissed those writ petitions.

(iii) In the meantime, the management, instead of pursuing the disciplinary proceedings, directed the petitioners to get fresh community certificates from the Revenue Divisional Officer, who is the competent authority. Accordingly, the writ petitioners made applications to the Revenue Divisional Officer, requesting for issuance of community certificates to the effect that they belong to Kattunaicken community. When the said applications were pending before the RDO, the petitioners filed civil suits before the District Munsif Court, Trichy, for a declaration that they belong to Kattunaicken community, a Scheduled Tribe, and for mandatory injunction, directing the RDO to issue community certificates to

WEB COPY
https://hcservices.ecourts.gov.in/hcservices/

that effect. Ultimately, the petitioners obtained ex parte decree on 10.06.1996.

(iv) Thereupon, the petitioners filed writ petitions before this High Court, seeking for a direction to the RDO to issue community certificates in their favour, by disposing of the applications pending before him. The High Court, however, on 11.03.1999, declined to give such a direction and merely directed the RDO to dispose of the applications of the petitioners expeditiously on merits, in accordance with law. In pursuance of the said order, the RDO conducted an enquiry and concluded that the petitioners do not belong to Kattunaicken community and, consequently, rejected their applications. Following the same, the services of the writ petitioners were terminated by the management by the orders dated 26.09.1998 and confirmed in appeal by the higher authority on 18.11.1998. Aggrieved over the same, the present Writ Petitions have been filed, seeking for issuance of a writ of certiorari, for quashing the said orders of termination and confirmation.

(v) The matters came up before a learned single Judge. The main argument advanced before the learned single Judge in these Writ Petitions was that the Civil Court had already passed an ex parte decree in favour of the petitioners, declaring that they belong to Kattunaicken community, a Scheduled Tribe, and issued mandatory injunction to the RDO, directing him to issue community certificates to the petitioners and since the said decree is binding on the RDO, the RDO ought to have issued community certificates in favour of the petitioners and, as such, the order of RDO, rejecting the applications of the petitioners, and, consequently, the orders impugned, being challenged, are liable to be set aside.

(vi) However, during the course of argument, it was brought to the notice of the learned single Judge that there is a sharp contrast in the opinion relating to the maintainability of the suit on this issue. Hence, the learned single Judge, by an order dated 30.04.2003, directed the matter to be placed before the Hon'ble Chief Justice for obtaining orders for consideration of these Writ Petitions by a Larger Bench. Accordingly, the Hon'ble Chief Justice ordered the matters to be placed before this Larger Bench. That is how these matters have come up before this Full Bench."

3. The question put in issue was raised earlier on various occasions before different learned single Judges. Those learned single Judges, in their separate orders, expressing one view, held that civil suit is maintainable and the decree passed by the Civil Court is binding on the authorities. Following are the decisions :

(i) 2000 (II) CTC 425 (State of Tamil Nadu v. Durairaj);

(ii) 2000 (III) CTC 273 (State of Tamil Nadu v. K.Navamani);

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

(iii) 2001 Writ L.R.126 (Ayyappan v. District Collector, Tiruchirapalli) and

(iv) 2003 (2) L.W.526 (K.Venugopal v. State of Tamil Nadu) :

But, a contra view has been taken by a Division Bench of this Court, observing that the view expressed by the learned single Judges is totally wrong in view of the decisions of the Supreme Court in Gurusamy's case (1997 (3) SUPREME COURT CASES 542) and Kumari Madhuri Patil's case (1994 (6) SCC 241) and held that a civil suit for a decree of declaration and mandamus to the authorities to issue community certificate is not maintainable. This is reported in 2002 (3) CTC 411 (Union of India v. The Registrar, Central Administrative Tribunal, Chennai).

4. Let us first see the findings given by the learned single Judges on different occasions on this issue, with reference to the maintainability of the suit, holding that the suit is maintainable :

(i) In 2000 (II) CTC 425 (State of Tamil Nadu v. Durairaj), a learned single Judge held as follows :

"The Supreme Court, in Gurusamy's case, would bar the civil jurisdiction in regard to inclusion or exclusion of the communities from the list published by the President of India under Articles 341 and 342 of the Constitution of India and not with regard to whether a person belongs to a particular community or not. So, seeking for a declaration in the Civil Court that he belongs to a particular community is not barred."

(ii) In 2000 (III) CTC 273 (State of Tamil Nadu v. K.Navamani), another learned single Judge held as follows :

"There is no provision of law in any enactment or the government order prohibiting the cognizance of a case by a Civil Court with reference to the declaration of a person that he belongs to a particular community. The Supreme Court decision in Gurusamy's case would apply only where the relief is asked for with reference to inclusion or exclusion of a particular community in the list. Hence, the suit is maintainable."

(iii) In 2001 Writ L.R.126 (Ayyappan v. District Collector, Tiruchirapalli), another learned single Judge held as follows :

"In Kumari Madhuri Patil's case (1994 (6) SCC 241), the Supreme Court has laid down guidelines for issuance of Social Status Certificate. There is

https://hcservices.ecourts.gov.in/hcservices/

nothing to indicate in the said judgment that the Civil Court's jurisdiction has been excluded. It is further held by the Supreme Court in Gurusamy's case that no suit is maintainable, challenging the declaration issued by the President with respect of lists of the Scheduled Castes and Scheduled Tribes. It is also held therein that a Suit for declaration that an individual belongs to a particular community is not barred nor there is anything in the said judgment to hold that the said suit is not maintainable nor barred by any statutory provision. As such, the Civil Court decree, though ex parte, has reached finality. Therefore, it is binding on the State of Tamil Nadu. Consequently, the State has no other alternative except to issue certificate and the civil decree is binding on them."

5. The crux of the observations made by the learned single Judges in the above judgments is that neither the Supreme Court either in Gurusamy's case or in Kumari Madhuri Patil's case nor any provision or Government order would indicate that there is a prohibition as against the cognizance of a case by a Civil Court with reference to the declaration of a person that he belongs to a particular community and, those Supreme Court decisions, barring civil jurisdiction, would apply only in regard to inclusion or exclusion from the list, challenging the declaration issued by the President in respect of lists of Scheduled Castes and Scheduled Tribes.

6. On the other hand, a Division Bench of this Court in 2002 (3) CTC 411 (Union of India v. The Registrar, Central Administrative Tribunal, Chennai), after referring to the judgments of the learned single Judges, would emphatically hold that the view of the learned single Judges is totally wrong and they should not have held like that, since it is against the ratio decided by the Supreme Court in Gurusamy's case (1997 (3) SUPREME COURT CASES 542) and Kumari Madhuri Patil's case (1994 (6) SCC 241). The observation made by the said Division Bench is as follows :

"The view taken by ....., J. in State of Tamil Nadu v. Durairaj (2000 (II) CTC 425) is not correct. The jurisdiction of the Civil Court may be barred either expressly or impliedly. Such bar, by implication, has been held to be the consequence of Articles 341 and 342 of the Constitution by the judgment of the Supreme Court in the case of State of Tamil Nadu v. Gurusamy. When a judgment of the Supreme Court deals with the very question, which the High Court is required to consider, the High Court is bound to follow the law laid down by the Supreme Court and it is not open to the High Court to depart therefrom. The other decision relied upon the by ....., J. is

WEB COPY
https://hcservices.ecourts.gov.in/hcservices/

> State of Tamil nadu v. Navamani (2000 (3) CTC 273). The said decision has been rendered without referring to the case of Gurusamy (Supreme Court). It has been clearly inconsistent with the law laid down by the Supreme Court. So, that decision must be regarded as per incuriam."

The above observation made by the Division Bench would make it clear that the view expressed by the learned single Judges on this aspect is wrong and it has to be considered as per incuriam and it is against the verdict of the Supreme Court on the subject.

7. It is quite strange to note that despite the judgment of the Division Bench referred to above, another learned single Judge, in K.Venugopal v. State of Tamil Nadu, reported in 2003 (2) L.W.526, ignored the Division Bench judgment on the ground that the said Division Bench judgment was taken on appeal and though the SLP was ultimately dismissed, the Supreme Court left the question of law open and, therefore, he preferred the learned single Judges' view and held that the Civil Suit for such a declaration is maintainable. The observation is as follows :

> "In my opinion, the Civil Court's jurisdiction to grant a declaratory relief that the plaintiff belongs to Konda Reddy Community does not stand ousted at all.
>
> The Division Bench judgment reported in 2002 (3) CTC 411 was taken on appeal before the Apex Court in an appeal for special leave (Civil) 13503 to 13504 of 2001. The said matter was admitted and notice ordered. Subsequently, by a final order on 18.03.2002, SLPs were dismissed, leaving the question of law open."

8. Thus, the observations made in all the four cases by the learned single Judges would make it clear that the learned single Judges expressed the view clearly that the Supreme Court, in Gurusamy's case and Kumari Madhuri Patil's case, has not decided about the maintainability of the suit with regard to declaration that he belongs to a particular community and it would bar the civil jurisdiction only in regard to inclusion or exclusion from the list and, as such, seeking for a declaration in a Civil Court that a person belongs to a particular community is not barred.

9. On the other hand, the Division Bench, in 2002 (3) CTC 411, would emphatically hold that the Supreme Court decided the said question in Gurusamy's case and, as such, the view of the learned single Judges is wrong. But, as noted above, even thereafter, another learned single Judge held that he would not prefer to accept the view of the Division Bench and, on the contrary, he would prefer to agree to the view of the other learned single Judges, decided earlier.

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

10. With great anguish, this Full Bench is constrained to disapprove the approach adopted by the learned single Judge in ignoring the decision of the Division Bench and preferring to agree to the view expressed by the learned single Judges. The proper course is that if he disagrees to the Division Bench judgment and merely wants to follow the single Judges view, he ought to have referred the matter to a Larger Bench. It is unfortunate that it was not done. Fortunately, when these Writ Petitions came up for final disposal before another learned single Judge, he rightly passed an order, referring the matter to a Larger Bench.

11. Now, the question is, whether the view expressed by the Division Bench in 2002 (3) CTC 411, in the light of the Supreme Court decision, is correct or not ?

12. If this Full Bench takes the view that the Supreme Court in Gurusamy's case and Kumari Madhuri Patil's case has already decided this question, naturally, we have to uphold the decision rendered by the Division Bench in 2002 (3) CTC 411. If it is otherwise, we have to hold contra. Hence, let us now look into Gurusamy's case as well as Kumari Madhuri Patil's case, dealt with by the Supreme Court, in order to find out whether the said question has already been decided by the Supreme Court, as pointed out by the Division Bench.

13. Let us first take Gurusamy's case. The facts are : The respondent obtained certificate from the RDO, recognizing him as belonging to Kattunaicken community, a Scheduled Tribe. Subsequently, he applied for permanent certificate. In the enquiry, it was found that the respondent was not a Scheduled Tribe. Then, the earlier certificate came to be cancelled. Challenging the said cancellation, the respondent filed a civil suit for a declaration that he belongs to Kattunaicken community, a Scheduled Tribe. The said declaration was granted by the trial Court and affirmed by the appellate Court. The High Court also dismissed the second appeal. Hence, an S.L.P.was filed by the Government of Tamil Nadu. In that context, the Supreme Court would make the following observation :

> "The only question is whether the suit is maintainable. By operation of Section 9 of CPC, a suit of civil nature, cognizance of which is expressly or by implication excluded, cannot be tried by any civil court. .....By necessary implication, the jurisdiction of the civil court to take cognizance of and give a declaration stands prohibited. The question then is whether the respondent has been given an opportunity to establish his case before the authorities cancelled his community certificate obtained by him? ..... The District Collector does not decide it like a suit. What he does is an enquiry complying with the principles of rational (sic natural) justice. He considered his stand, namely, one of the sale deeds

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

of 1962 in which his status was declared as Kattunaicken but the same was disbelieved by the District Collector before cancellation. It is a self-serving document. The authority had, therefore, given an opportunity to the respondent to establish his status and found that the certificate previously obtained was wrong and illegal. Accordingly, he cancelled the certificate given to the respondent on 23-1-1971.....The guidelines are only to identify the persons and not to give a declaration as to which community comes under a particular entry of the Presidential Notification..... A person who plays fraud and obtains a false certificate cannot plead estoppel. The principle of estoppel arises only when a lawful promise was made and acted upon to his detriment..... The courts would not lend assistance to perpetrate fraud on the Constitution and he cannot be allowed to get the benefit of the fraudulent certificate obtained from the authorities. The declaration issued by the courts below is unconstitutional and without jurisdiction."

14. A complete reading of the above judgment of the Supreme Court in Gurusamy's case would indicate the following features :

(i) Respondent (plaintiff) falsely obtained certificate from the RDO, recognizing him to be Kattunaicken community, a Scheduled Tribe ;

(ii) When he applied for permanent certificate, an enquiry was conducted by the competent authority, who, in turn, found that the respondent was not a Scheduled Tribe. Accordingly, the certificate came to be cancelled ;

(iii) Assailing the said cancellation, the respondent filed a suit for declaration that he belongs to Kattunaicken community, a Scheduled Tribe, and the Civil Court decreed the suit, granting the said declaration; and

(iv) On the above facts, the Supreme Court found that by operation of Section 9 of CPC, a suit of civil nature, cognizance of which is expressly or by implication excluded, cannot be tried by any civil court and, by necessary implication, the jurisdiction of the civil court to take cognizance of and give a declaration stands prohibited.

15. Thus, in the light of the above facts, a clear finding has been given by the Supreme Court in Gurusamy's case that Civil Court's jurisdiction is ousted and, as such, the decree of

WEB COPY
https://hcservices.ecourts.gov.in/hcservices/

declaration that he belongs to a particular community, a Scheduled Caste or Scheduled Tribe, is unconstitutional and without jurisdiction.

16. Let us now see the facts of the case in hand : The writ petitioners earlier obtained certificates from the Tahsildar that they belong to Kattunaicken community. On the basis of such certificates, they obtained jobs in BHEL On verification, the Collector found that the certificates were false and the petitioners did not belong to Kattunaicken community. Therefore, the management directed the petitioners to get fresh community certificates from the RDO. Thereafter, the petitioners filed civil suits with the prayer to declare that they belong to Kattunaicken community and also for a mandatory injunction directing the defendants, namely, RDO to issue community certificates.

17. Thus, the facts in this case are identical to that of Gurusamy's case, which were considered by the Supreme Court. As such, it is clear that the Supreme Court already decided this issue and, consequently, it has to be held that the petitioners cannot approach the civil court for declaration and mandatory injunction, in the light of the decision of the Supreme Court.

18. Let us now look into Kumari Madhuri Patil's case reported in AIR 1995 SUPREME COURT 94. In this case, the Supreme Court, having felt that some unscrupulous persons come forward to obtain the benefit of reservations posing themselves as persons entitled to such social status while, in fact, disentitled to such status, thought it fit to prescribe the procedure to issue certificates to the persons entitled, having noticed that the genuine candidates are denied admission to educational institutions or appointments under a State for want of social status certificate and at the same time ineligible or spurious persons who falsely gained entry resort to dilatory tactics and create hurdles in completion of the enquiry. The Union of India and the State Governments have already prescribed the procedure and entrusted duty and responsibility to Revenue Officers of gazetted cadre to issue social status certificate, after due verification. The said endeavour of States to fulfil constitutional mandate of upliftment of Scheduled Castes and Scheduled Tribes by providing for reservation of seats in educational institutions and for reservation of posts and appointments are sought to be denied to them by unscrupulous persons by putting all sorts of hurdles in completion of the procedure for enquiry by the scrutiny committee. In that context, the Supreme Court felt that it is necessary that social status certificates issued are scrutinised at the earliest and with utmost expedition and promptitude. To achieve that object, the Supreme Court gave the directions to streamline the procedure for the issuance of social status certificates, their scrutiny and their approval. The said directions are as follows :

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

"1. The application for grant of social status certificate shall be made to the Revenue Sub-Divisional Officer and Deputy Collector or Deputy Commissioner and the certificate shall be issued by such Officer rather than at the Officer, Taluk, or Mandal level.

2. The parent, guardian or the candidate, as the case may be, shall file an affidavit duly sworn and attested by a competent gazetted officer or non-gazetted officer with particulars of castes and sub-castes, tribe, tribal community, parts or groups of tribes or tribal communities, the place from which he originally hails from and other particulars as may be prescribed by the concerned Directorate.

3. Application for verification of the caste certificate by the Scrutiny Committee shall be fixed at least six months in advance before seeking admission into educational institution or on appointment to a post.

4. All the State Governments shall consist a Committee of three officers, namely, (I) an Additional or Joint Secretary or any officer higher in rank of the Director of the concerned department, (II) the Director, Social Welfare/Tribal Welfare/Backward Class Welfare, as the case may be, and (III) in the case of Scheduled Castes another officer who has intimate knowledge in the verification and issuance of the social status certificates. In the case of the Scheduled Tribes, the Research Officer who has intimate knowledge in identifying the tribes, tribal communities, parts of or groups of tribes or tribal communities.

5. Each Directorate should constitute a vigilance cell consisting of Senior Deputy Superintendent of Police in overall charge and such number of Police Inspectors to investigate into the social status claims. The Inspector would go to the local place of residence and original place from which the candidate hails and usually resides or in case of migration to the town or city, the place from which he originally hailed from. The vigilance officer should personally verify and collect all the facts of the social status claimed by the candidate or the parent or guardian, as the case may be. He also should examine the school records, birth registration, if any. He should also examine the parent, guardian or the candidate in relation to their caste etc. or such other persons who have

WEB COPY
https://hcservices.ecourts.gov.in/hcservices/

knowledge of the social status of the candidate and then submit a report to the Directorate together with all particulars as envisaged in the proforma, in particular, of the Scheduled Tribes relating to their peculiar anthropological and ethnological traits, deity, rituals, customs, mode of marriage, death ceremonies, method of burial of dead bodies etc. by the concerned castes or tribes or tribal communities etc.

6. The Directorate concerned, on receipt of the report from the vigilance officer if he found the claim for social status to be "not genuine" or "doubtful" or spurious or falsely or wrongly claimed, the Director concerned should issue show cause notice supplying a copy of the report of the vigilance officer to the candidate by a registered post with acknowledgement due or through the head of the concerned educational institution in which the candidate is studying or employed. The notice should indicate that the representation or reply, if any, would be made within two weeks from the date of the receipt of the notice and in no case on request not more than 30 days from the date of the receipt of the notice. In case the candidate seeks for an opportunity of hearing and claims an inquiry to be made in that behalf, the Director on receipt of such representation/reply shall convene the Committee and the Joint/Addl.Secretary as Chairperson who shall give reasonable opportunity to the candidate/parent/guardian to adduce all evidence in support of their claim. A public notice by beat of drum or any other convenient mode may be published in the village or locality and if any person or association opposes such a claim, an opportunity to adduce evidence may be given to him/it. After giving such opportunity either in person or through counsel, the Committee may make such inquiry as it deems expedient and consider the claims vis-a-vis the objections raised by the candidate or opponent and pass an appropriate order with brief reasons in support thereof.

WEB COPY

7. In case the report is in favour of the candidate and found to be genuine and true, no further action need be taken except where the report or the particulars given are procured or found to be false or fraudulently obtained and in the latter event the same procedure as is envisaged in para 6 be followed.

8. Notice contemplated in para 6 should be issued to the parent/guardian also in case candidate

https://hcservices.ecourts.gov.in/hcservices/

is minor to appear before the Committee with all evidence in his or their support of the claim for the social status certificates.

9. The inquiry should be completed as expeditiously as possible preferably by day-to-day proceedings within such period not exceeding two months. If after enquiry the caste Scrutiny Committee finds the claim to be false or spurious, they should pass an order cancelling the certificate issued and confiscate the same. It should communicate within one month from the date of the conclusion of the proceedings the result of enquiry to the parent/guardian and the applicant.

10. In case of any delay in finalising the proceedings and in the meanwhile the last date for admission into an educational institution or appointment to an officer post is getting expired, the candidate be admitted by the Principal or such other authority competent in that behalf or appointed on the basis of the social status certificate already issued or an affidavit duly sworn by the parent/guardian/candidate before the competent officer or non-official and such admission or appointment should be only provisional, subject to the result of the inquiry by the Scrutiny Committee.

11. The order passed by the Committee shall be final and conclusive only subject to the proceedings under Article 226 of the Constitution.

12. No suit or other proceedings before any other authority should lie.

13.The High Court would dispose of these cases as expeditiously as possible within a period of three months. In case as per its procedure the writ petition/miscellaneous Petition/matter is disposed of by a single Judge, then no further appeal would lie against that order to the Division Bench but subject to special leave under Article 136.

14. In case the certificate obtained or social status claimed is found to be false, the parent/guardian/candidate should be prosecuted for making false claim. If the prosecution ends in a conviction and sentence of the accused, it could be regarded as an offence involving moral turpitude, disqualification for elective posts or offices under

WEB COPY
https://hcservices.ecourts.gov.in/hcservices/

the State or the Union or elections to any local body, legislature or the Parliament.

15. As soon as the finding is recorded by the Scrutiny Committee holding that the certificate obtained was false, on its cancellation and confiscation simultaneously, it should be communicated to the concerned educational institution or the appointing authority by registered post with acknowledgement due with a request to cancel the admission or the appointment. The Principal etc. of the educational institution responsible for making the admission or the appointing authority should cancel the admission/appointment without any further notice to the candidate and debar the candidate for further study or continue in office in a post."

19. The gist of the above directions is as follows :

(1) The application for grant of social status certificate shall be made to the Revenue Divisional Officer ;

(2) The parent shall file an affidavit with particulars of castes, sub-castes and the place from which he originally hails from ;

(3) All the State Governments shall constitute a committee of three officers, namely, (i) Joint Secretary higher in rank of the Director of the concerned Department (ii) Director, Social Welfare/Tribal Welfare/Backward Class Welfare and (iii) In the case of Scheduled Castes, another officer who has intimate knowledge in the verification and issuance of the social status certificates. In the case of Scheduled Tribes, the Research Officer, who has intimate knowledge in identifying the tribes ;

(4) Each Directorate should constitute a vigilance cell consisting of Senior Deputy Superintendent of Police in overall charge. The vigilance officer should personally verify and collect all the facts of the social status claimed by the candidate or the parent or guardian. He also should examine school records, birth registration etc. He should also examine the parent, guardian or the candidate in relation to their caste etc. and then submit a report to the Directorate ;

(5) The Director concerned, on receipt of report from the vigilance officer, if he found the

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

claim for social status to be 'not genuine', should issue show cause notice and, after giving an opportunity of hearing, the Director shall convene the Committee to give further opportunity to the candidate to adduce all the evidence in support of his claim and after such inquiry, the Committee may make an appropriate order with brief reasons;

(6) The inquiry by the Scrutiny Committee should be completed as expeditiously as possible, preferably by day-to-day proceedings within such period not exceeding two months. If after inquiry the Scrutiny Committee finds the claim to be false, they should pass an order cancelling the certificate issued and confiscate the same. It should communicate to the candidate within one month from the date of the conclusion of the proceedings ;

(7) The order passed by the Committee shall be final and conclusive, only subject to the proceedings under Article 226 of the Constitution ;

(8) No suit or other proceedings before any other authority should lie ; and

(9) The High Court under Article 226 would dispose of these cases as expeditiously as possible within a period of three months. No further appeal would lie against the order of the single Judge, but subject to special leave under Article 136 before the Supreme Court.

20. The above directions came to be issued by the Supreme Court since the Supreme Court felt that this procedure could be fair and just and shorten the undue delay and also prevent avoidable expenditure for the State on the education of the candidate admitted/appointed on false social status or further continuance therein. The Supreme Court further directed that every State concerned should endeavour to give effect to these directions and see that the constitutional objectives intended for the benefit and advancement of the genuine Scheduled Castes/Scheduled Tribes or Backward Classes, as the case may be, are not defeated by the unscrupulous persons.

21. The above directions given by the Supreme Court would clearly indicate that the Supreme Court is of the definite view that there should not be any hurdle to the issuance of community certificate by allowing the other parties or forums to intervene. On the other hand, the Supreme Court's clear-cut direction is that the Scrutiny Committee shall conduct inquiry within a stipulated time and no Civil Court and other authorities should be approached for such a social status certificate, as it would interfere with the

WEB COPY
https://hcservices.ecourts.gov.in/hcservices/

duty entrusted with the Scrutiny Committee, which has been specially constituted by the Government. The further direction is that the Scrutiny Committee should be allowed to go on with the inquiry by giving an opportunity to the persons concerned and that the order passed by the Scrutiny committee shall become final, which can be subject to review only by the High Court under Article 226 or by the Supreme Court under Article 136 and there could be no interference into their proceedings by any other forum, including Supreme Court. So, this is a law made by the Supreme Court with reference to the procedure to be followed by the Scrutiny Committee, on the basis of whose directions the community certificate would be issued.

22. In this case, in pursuance of a direction of the Supreme Court, the State Government has issued G.O.(2D) No.18, Adidravidar and Tribal Welfare (ADW.2) Department, dated 01.04.1997, by constituting two Caste Scrutiny Committees, namely, (1) District Level Vigilance Committee and (2) State Level Scrutiny Committee. The District Level Vigilance Committee consists of (i) District Collector-Chairman and (ii) District Adi-Dravidar Welfare Officer-Executive Member and the State Level Scrutiny Committee consists of (i) Secretary, Adi-Dravidar Tribal Welfare Department-Chairman; (ii) Director of Adi-Dravidar Tribal Welfare Department-Executive Member and (iii) Director, Scheduled Tribes Research Centre, Uthagamandalam-Member.

23. Subsequently, G.O.Ms.No.111, dated 06.07.2005, has been issued by the Government, constituting a three member committee at District Level for verification of the community certificates, issued by the Tahsildar or the Revenue Divisional Officer prior to 11.11.1989. One of the members of the Committee is an anthropologist, who possesses special knowledge about the Scheduled Tribe communities of each locality. Therefore, the Committee constituted by the Government alone has expertise to go into the question whether a person belongs to a particular community, which is included in the list of Scheduled Castes, Scheduled Tribes and other Backward Classes. According to the Supreme Court, the Courts cannot have expertise in that field. The authority concerned is the best person to decide the status of the community. The procedure followed in civil courts is too lengthy and, consequently, the civil court is not an efficacious forum for resolving the issue speedily.

24. Following the Supreme Court decisions, as indicated to above, a Division Bench of this Court correctly held that when a judgment of the Supreme Court deals with the very same question, which the High Court is required to consider, the High Court is bound to follow the law laid down by the Supreme Court and it is not open to the High Court to depart therefrom. The said decision rendered by the Division Bench on the basis of the judgment of the Supreme Court in Gurusamy's case is perfectly correct and, in our view, the learned single Judges in those decisions totally ignored the ratio decided by the Supreme Court in Gurusamy's case and simply distinguished the said case on the ground that Gurusamy's case would bar civil jurisdiction only in regard to inclusion or exclusion from

WEB COPY
https://hcservices.ecourts.gov.in/hcservices/

the lists and not with regard to the question whether a person belongs to a particular community or not. This approach by the learned single Judges is totally wrong.

25. The Supreme Court, in Gurusamy's case and Kumari Madhuri Patil's case, gave a specific finding that the Civil Court has no jurisdiction to deal with the said question and only the Scrutiny Committee will have to go into it, to decide the question relating to the community certificate, to enable the authorities to decide the same in the quickest possible time.

26. The High Court should have given respect to the view of the Supreme Court, in the light of the settled principles of law that the judicial discipline requires that clear pronouncements by the Supreme Court, about what the law on a matter is, must be treated as binding by all the Courts in India. Where the Supreme Court has stated that the law laid down in a particular case is the applicable law, it is not open to the High Court to consider or rely on any supposedly conflicting decision. Judicial discipline to abide by declaration of law by the Supreme Court cannot be forsaken under any pretext by any authority or Court, be it even the highest Court in a State, oblivious to Article 141 of the Constitution.

27. As held by the Supreme Court in AIR 2002 SUPREME COURT 681 (Suganthi Suresh Kumar v. Jagdeeshan), it is impermissible for the High Court to overrule the decision of the Apex Court on the ground that Supreme Court laid down the legal position without considering any other point. It is not only a matter of discipline for the High Courts in India, but it is the mandate of the Constitution as provided in Article 141 that the law declared by the Supreme Court shall be binding on all Courts within the territory of India.

28. Let us now also go into the first principles to find out whether the special procedure contemplated through the directions of the Supreme Court and the consequent orders of the Government, as referred to above, would attract Section 9 CPC, to hold that the civil suit is barred.

29. In this context, it would be relevant to refer to Section 9 of the Code of Civil Procedure :

> "9.Courts to try all civil suits unless barred.- The courts shall (subject to the provisions herein contained) have jurisdiction to try all suits of a civil nature excepting suits of which their cognizance is either expressly or impliedly barred."

30. Following are the judgments, which refer to the implied bar for civil jurisdiction :

(i) 1996 (2) SUPREME 165 (S.SWVIGARDOSS v. ZONAL MANAGER, FCI) :

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

In this case, the petitioner's parents got converted into Christian religion. Petitioner married according to the Christian rites in a Church. He joined the service of Food Corporation of India in the Scheduled Caste quota. A notice was given to show cause as to how the petitioner would be entitled to benefits extended to Scheduled Castes. Against the said show cause notice, he filed a suit. The trial Court decreed the same. On appeal, it was reversed. The High Court confirmed the same. Hence, the matter was taken to the Supreme Court. In the said case, the Supreme Court would make the following observation :

> "8.... In view of the admitted position that the petitioner was born of Christian parents and his parents also were converted to be Adi Dravida, a Scheduled Caste, for the purpose of Tirunelveli District in Tamil Nadu as notified by the President, petitioner cannot claim to be a Scheduled Caste. In the light of the constitutional scheme, civil court has no jurisdiction under Section 9 of CPC to entertain the suit. The suit, therefore, is not maintainable."

(ii) 1997 (5) SUPREME COURT CASES 120 (PUNJAB STATE ELECTRICITY BOARD AND ANOTHER v. ASHWINI KUMAR) :

This case arises out of a suit filed by a consumer for permanent injunction restraining the Electricity Board from collecting and recovering the amount demanded.

The Supreme Court, in this case, held that the jurisdiction of civil Court is barred by necessary implication. The relevant observation is as follows :

> "8....The question then arises whether the civil court would be justified in entertaining the suit and issue injunction as prayed for ? .... Section 9 of the CPC provides that the civil court shall try all suits of civil nature, subject to pecuniary jurisdiction, unless their cognizance is expressly or by necessary implication barred. Such suit would not be maintainable. It is true that ordinarily, the civil court has jurisdiction to go into and try the disputed questions of civil nature, where the fundamental fairness of procedure has been violated. The statutory circulars adumbrated above do indicate that a fundamental fairness of the procedure has been prescribed in the rules and is being followed. By necessary implication, the cognizance of the civil cause has been excluded. As a consequence, the civil court shall not be justified in entertaining this suit and giving the declaration without directing the party to avail of the remedy

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

provided under the Indian Electricity Act and the instructions issued by the Board....

9.....When the provision for appeal by way of review has been provided by the statutory instructions, and the parties are directed to avail of the remedy, the authorities are enjoined to consider all the objections raised by the consumer and to pass, after consideration, the reasoned order in that behalf, so that the aggrieved consumer, if not satisfied with the order passed by the Board/appellate authority, can avail of the remedy available under Article 226 of the Constitution. Therefore, by necessary implication, the appropriate competent authority should hear the parties, consider their objections and pass the reasoned order, either accepting or negativing the claim....In our view, by necessary implication, the suit is not maintainable...."

(iii) 2003 (10) SUPREME COURT CASES 38 (NDMC v. SATISH CHAND):

This case would relate to the question regarding the maintainability of a civil suit challenging the assessment and levy of property tax on a property, owned by the plaintiff. The Department took a preliminary objection as to the maintainability of the suit based on Sections 84 and 86 of the Punjab Municipal Act.

While dealing with Section 9 of CPC, the Supreme Court would make the following observation :

"5... The opening words of the section give a very wide jurisdiction to the civil courts to try all suits of a civil nature, however, this wide power is qualified by providing an exception i.e., excepting suits of which their cognizance is either expressly or impliedly barred.

Where the statute gives a finality to the orders of the Special Tribunals, the civil court's jurisdiction must be held to be excluded if there is adequate remedy to do what the civil courts would normally do in a suit.

It is well recognised that where a revenue statute provides for a person aggrieved by an assessment thereunder, a particular remedy to be sought in a particular forum, in a particular way, it must be sought in that forum and in that manner, and all other forums and modes of seeking it are excluded.

An express bar is where a statute itself contains a provision that the jurisdiction of a

WEB COPY
https://hcservices.ecourts.gov.in/hcservices/

civil court is barred. An implied bar may arise when a statute provides a special remedy to an aggrieved party like a right of appeal."

(iv) In 1996 (7) SUPREME COURT CASES 218 (LAXMI CHAND v. GRAM PANCHAYAT), while dealing with the Land Acquisition Act, the Supreme Court would make the following observation :

"The scheme of the Act is complete in itself and thereby the jurisdiction of the civil court to take cognizance of the cases arising under the Act, by necessary implication, stood barred. The civil court thereby is devoid of jurisdiction to give declaration on the invalidity of the procedure contemplated under the Act. The only right an aggrieved person has is to approach the constitutional courts viz., the High Court and the Supreme Court under their plenary power under Articles 226 and 136 respectively with self-imposed restrictions on their exercise of extraordinary power. Barring thereof, there is no power to the civil court."

(v) In AIR 1997 SUPREME COURT 2076 (S.P.SUBRAMANYA SHETTY v. KARNATAKA STATE ROAD TRANSPORT CORPN.), while dealing with the acquisition proceedings and the maintainability question under Section 9 CPC, the Supreme Court would hold as follows :

"Civil Suit relating to acquisition proceedings is not maintainable and by implication, cognizance under Section 9 CPC is barred. The Court cannot issue mandatory injunction against the State to denotify the acquisition under Section 48. Therefore, the question of granting an injunction against the authority from proceeding in accordance with law does not rise. It is for the Government to consider the same on merits and keeping in mind subservience of public interest."

(vi) In 2002 (2) SUPREME COURT CASES 542 (CHANDRAKANT TUKARAM NIKAM v. MUNICIPAL CORPORATION OF AHMEDABAD), while dealing with the Industrial Disputes Act, the Supreme Court would observe as follows:

"The Industrial Disputes Act was enacted by the Parliament to provide speedy, inexpensive and effective forum for resolution of disputes arising between workmen and the employers, the underlying idea being to ensure that the workmen do not get caught in the labyrinth of civil courts which the workmen can ill-afford. It cannot be disputed that the procedures followed by civil courts are too lengthy and consequently are not an efficacious

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

forum for resolving the industrial disputes speedily. The power of the Industrial Courts also is wide and such forums are empowered to grant adequate relief as they think just and appropriate.... Therefore, we conclude that the jurisdiction of the Civil Court must be held to have been impliedly barred and the appropriate forum for resolution of such dispute is the forum constituted under the Industrial Disputes Act."

In RAJA RAM KUMAR v. UNION OF INDIA, reported in AIR 1988 SC 752, the Supreme Court, while dealing with the bar on the civil court's jurisdiction, would make the following observation:

"Generally speaking, the broad guiding considerations for determining whether civil court jurisdiction is excluded are that wherever a right, not pre-existing in common law, is created by a statute and that statute itself provided a machinery for the enforcement of the right, both the right and the remedy having been created uno flatu and a finality is intended to the result of the statutory proceedings, then, even in the absence of an exclusionary provision the civil courts jurisdiction is impliedly barred. If however a right pre-existing in common law is recognized by the statute and a new statutory remedy for its enforcement provided, without expressly excluding the civil courts jurisdiction, then both the common law and the statutory remedies might become concurrent remedies leaving open an element of election to the persons of inherence."

31. The guidelines given in the decisions of the Supreme Court, referred to above, to find out whether a suit is impliedly barred under Section 9 CPC or not, in short, are as follows :

(1) When the provision for appeal by way of review has been provided by the statutory instructions, the parties are directed to avail of the remedy before the competent authority, namely, the appellate authority, and if the aggrieved party is not satisfied with the order passed by the appellate authority, it can avail of the remedy available under Article 226 of the Constitution of India. This would mean, by necessary implication, the suit is barred.

(2) When a statute provides a special remedy to an aggrieved party like a right of appeal, an implied bar arises, and when the statutory instruction provides for a person aggrieved a particular remedy to be sought in a

WEB COPY
https://hcservices.ecourts.gov.in/hcservices/

particular forum, in a particular way, it must be sought in that forum and in that manner and the mode of seeking remedy from other forums, namely, Civil Court is impliedly excluded.

(3) It cannot be disputed that the procedure followed by Civil Court is too lengthy and, consequently, is not an efficacious forum for resolving the industrial disputes speedily. Therefore, the jurisdiction of Civil Court must be held to have been impliedly barred.

(4) The broad guiding considerations for determining whether the Civil Court's jurisdiction is excluded are that wherever a right, not pre-existing in common law, is created by a statute or the statutory instructions giving a special procedure and special remedy for the enforcement of the right, both the right and the remedy having been created uno flatu and a finality is intended to the result of the statutory proceedings, then, even in the absence of an exclusionary provision the Civil Court's jurisdiction is impliedly barred.

32. In the light of the above guidelines given by the Supreme Court, it is clear that if a special procedure is contemplated and a special remedy is provided to approach a particular forum in a particular manner and in a particular way either by the statute or by the statutory instructions through the Government orders as an alternative remedy which can be challenged, the said remedy has to be sought for only through the said special provisions in the appropriate forum and in appropriate manner and, if the party is further aggrieved, it can approach the High Court under Article 226 and then the Supreme Court under Article 136 and, in those circumstances, the Civil Court's jurisdiction is impliedly barred.

33. It is vehemently contended by the learned counsel for the petitioners that there is neither express nor implied bar in the institution of the civil suit, which has been filed seeking legal status as provided under Section 34 of the Specific Relief Act. It is further contended by the learned counsel that in Kumari Madhuri Patil's case, it is observed that there is a bar to the suit only after the Scrutiny Committee has passed an order about the genuineness of the community certificate, but before the order being passed by the Scrutiny Committee, there is no express or implied bar for filing a civil suit as provided in Section 9 of CPC for a direction to issue such community certificate or for a declaration.

34. This contention, in our view, is untenable for various reasons. As indicated above, in Gurusamy's case, there is a specific finding by the Supreme Court that there is an implied bar to the institution of the suit in civil court in regard to declaration that

WEB COPY
https://hcservices.ecourts.gov.in/hcservices/

a person belongs to a particular community. Further, in Madhiri Patil's case also, the Supreme Court directed all the State Governments to appoint a Scrutiny Committee to verify the genuineness of the certificates and that the conclusion arrived at by the Scrutiny Committee alone is final and any other authority cannot interfere with that. This would mean that to achieve the purpose of the genuine persons getting benefits of reservations at the earliest point of time by following the fair procedure, the Scrutiny Committee alone should be allowed to go into the question and conduct an inquiry by giving opportunity to the candidates and pass a final order, which could be subject to review either by High Court or by the Supreme Court.

35. In this case, as mentioned above, in pursuance of a direction given by the Supreme Court in Kumari Madhuri Patil's case, the State Government passed several G.Os., contemplating a special procedure and constituting special forums, the decision of which can be challenged only in the High Court before a single Judge under Article 226 and, thereafter only, before the Supreme Court. Thus, in these cases, the implied bar, in our view, is inherent.

36. This can be viewed from yet another angle. In this case, the suits have been filed for a declaration that the writ petitioners belong to Kattunaicken community and also for a mandatory injunction, directing the Government officials to issue community certificates to the effect that they belong to Kattunaicken community. When such a prayer is entertained by the civil court, then, it is possible for the party to seek for injunction, restraining the RDO or the Scrutiny Committee from conducting the inquiry. If that is so, the Supreme Court's direction that the inquiry should be completed by the Scrutiny Committee within the time schedule would become unworkable. In other words, if such a suit is entertained and interim prayer seeking for injunction is granted, the Scrutiny Committee will not be able to finish the inquiry speedily, since the civil court would be able to finish its spell to give a decree only after long years. If such a suit is maintainable, the appeal would be maintainable. If appeal is entertained, the judgment passed in the appeal could be reviewed in the Second Appeal by the High Court and, thereafter, the party is entitled to prefer an SLP before the Supreme Court. Ultimately, it would take decades. This process would definitely defeat the object with which the special procedure is contemplated by the relevant orders of the Government, under the directions of the Supreme Court.

37. It is also contended by the learned counsel for the petitioners that there is no separate enactment prohibiting the Civil Court's jurisdiction.

38. This contention also, in our view, is not tenable, for the reason that the ratio decidendi, decided by the Supreme Court, taking into consideration the importance of the disposal of the claims with regard to community certificates by the Scrutiny

WEB COPY
https://hcservices.ecourts.gov.in/hcservices/

Committee, would amount to the law legislated by the Judiciary. Further, on the basis of judicial directions, the Government has passed relevant orders, appointing various committees at the District Level and the State Level. If the orders passed by the authorities at the District level and at the State level would not satisfy the parties, then, the said orders can be challenged under Article 226 of the Constitution in the High Court, which again will be challenged under Article 136 in the Supreme Court. Enactment, if made, would bar the civil jurisdiction expressly. But, in this case, we are concerned with implied bar, which is inbuilt.

39. When the Civil Court has no jurisdiction, then it goes without saying that the decree passed by the Civil Court without jurisdiction is a nullity. The Supreme Court, in 2003 (7) SUPREME COURT CASES 1 (Secretary, Ministry of Chemicals and Fertilizers, Government of India, v. Cipla Ltd. and Others), held that an order, which lacks inherent jurisdiction, would be a nullity and, thus, the procedural law of waiver or estoppel would have no application in such a situation. The same view has been taken by the Supreme Court in subsequent judgments reported in 2003 (6) SUPREME COURT CASES 230 (Dwaraka Prasad Agarwal (D) by L.Rs. and another v. B.D.Agarwal & Others), 2004 (3) SUPREME COURT CASES 1 (Ashok Leyland Ltd. v. State of Tamil Nadu and another) and 2004 (9) SUPREME COURT CASES 619 (MD, Army Welfare Housing Organisation v. Sumangal Services (P) Ltd.). Therefore, any decree granted by the Civil Court, declaring that a person belongs to a particular community and a mandatory injunction to grant community certificate to that effect is a nullity and cannot be enforced, since the Civil Court has no jurisdiction to entertain the suit, as its jurisdiction is impliedly ousted.

40. Let us now see the orders impugned, passed by the management, dismissing the writ petitioners from the services of the company, for the misconduct of production of false community certificates, in seeking employment under the reserved quota in a fraudulent manner.

41. A perusal of these orders would indicate that the petitioners were given an opportunity of being heard and, after analysing the materials available on record, the management passed final orders on 26.09.1998, terminating the services of the petitioners, holding that the charges against them are proved and that they failed to produce community certificate from the Revenue Divisional Officer, who is the competent authority, and the said orders of termination were confirmed by the appellate authority on 18.11.1998. In both the orders, the Civil Court's ex parte decree has been referred to, but the said decree has not been accepted, as it is not a decree against the company.

42. In these Writ Petitions, as indicated above, the main point relates to the maintainability of the suit and its binding nature on the authorities. Since we have held in the earlier paragraphs that the suit is not maintainable and, as such, it is not

WEB COPY
https://hcservices.ecourts.gov.in/hcservices/

binding on the authorities, we cannot but say that the orders impugned would not suffer from any infirmity, especially in the light of the fact that the principles of natural justice have been fully complied with. Therefore, the Writ Petitions are liable to be dismissed and the same are, accordingly, dismissed. No costs.

43. SUM UP :

(1) Suit in Civil Court for declaration that a person belongs to a particular community and for mandatory injunction, directing the authorities to issue community certificate in pursuance of the said declaration, is not maintainable; the decree in the said suit is a nullity and, as such, it is not binding on the authorities.

(2) Decision of the Division Bench of this Court in 2002 (3) CTC 411 (Union of India v. The Registrar, Central Administrative Tribunal, Chennai), holding that the learned single Judges' decision that the suit is maintainable must be regarded as per incuriam, is upheld.

(3) Writ Petitions are dismissed. No costs.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

dixit

To

The Revenue Divisional Officer,
Tiruchirapalli.

1 cc to Mr.Shri. B.T. Seshadri, Advocate, Sr. 5281
1 cc to Govt. Pleader, SR. 5228
1 cc to Mr.S. Doraisamy, Advocate, SR. 5212
1 cc to Mr.M. Suresh Kumar, Advocate, Sr. 5262

W.P.Nos.20765 TO 20767/1998

AK (CO)
kk 14/2

WEB COPY
https://hcservices.ecourts.gov.in/hcservices/